

## REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner rejects claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,999,214 to Inagaki (hereinafter "Inagaki") in view of Pavlovic et al. "Integration of audio/visual information for use in human-computer intelligent interaction," Image Processing, 1997 Proceedings IEEE, pages 121-124 (hereinafter "Pavlovic"). In response, Applicants respectfully traverse the Examiner's rejection of at least claims 2, 5, 6, and 11-18 under 35 U.S.C. § 103(a) for at least the reasons set forth below. Furthermore independent claim 1 has been amended to clarify its distinguishing features.

In the Official Action, the Examiner argues that all of the features of claims 1-18 are shown in the combination of Inagaki and Pavlovic. The Applicant respectfully disagrees.

Claim 1, as amended, recites:

"a processor ... configured ... to change a PIP display characteristic in response to a received audio command and a related gesture from a user."

Inagaki discloses a video conferencing system that detects the voice of a speaking attendee and highlights the PIP of the speaking attendee to distinguish the same from the other attendees. Therefore, Inagaki does not disclose or suggest " a processor ... configured ... to change a PIP display characteristic in response to a received audio command and a related gesture from a user." Furthermore, since the system of Inagaki does not recognize and/or respond to spoken commands, there is no motivation or suggestion to combine it with the system of Pavlovic that is directed to recognition of spoken commands.

Therefore, the Applicant respectfully submits that the rejection of claims 1-10 for obviousness under 35 U.S.C. § 103(a) lacks the requisite motivation and must be withdrawn.

With regard to claim 11, the Applicant respectfully submits that there is no motivation or suggestion to combine the references as discussed above with regard to claim 1. Furthermore, claim 11 recites:

"determining whether the received audio indication is one of a plurality of expected audio indications:

analyzing a gesture of the user if the received audio indication is one of the plurality of expected audio indications"

The Applicant respectfully submits that neither of the cited references teach or suggest the recited features of claim 11. Inagaki merely teaches a voice detection to determine whether an attendee is speaking. Thus, Inagaki does not teach or suggest "determining whether the received audio indication is one of a plurality of expected audio indications." Pavlovic teaches the user issuing a spoken command and gesture simultaneously (page 123, right column) because studies show speech and gestures are preferred by some people and because they are produced by the same mental concept. Thus, Pavlovic does not teach or suggest "analyzing a gesture of the user if the received audio indication is one of the plurality of expected audio indications."

With regard to claim 15, the Applicant respectfully submits that there is no motivation or suggestion to combine the references as discussed above with regard to claim 1. Furthermore, claim 15 contains program segments for performing similar steps as recited in claim 11 and patentably distinguishes over the cited references for at least the same reasons as set forth above with regard to claim 11.

Independent claims 11 and 15 are not rendered obvious by the cited references because neither the Inagaki patent nor the Pavlovic publication, whether taken alone or in combination, teach or suggest a method having the features recited therein and discussed above. Accordingly, claims 11 and

15 patentably distinguish over the prior art and are allowable. Claims 12-18 being dependent upon claims 11 and 15 are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 11-18 under 35 U.S.C. § 103(a).

Furthermore, Applicant respectfully submits that claims 2, 5, and 6 patentably distinguish over the cited references independently of their base claim (claim 1) and are allowable.

With regard to claim 2, the same recites "the PIP display characteristic is at least one of a position of the PIP on the display and a display size of the PIP." As discussed above, Inagaki merely discloses a video conferencing system that detects the voice of a speaking attendee and highlights the PIP of the speaking attendee to distinguish the same from the other attendees. Thus, Inakaki does not change "at least one of a position of the PIP on the display and a display size of the PIP."

With regard to claims 5 and 6, claim 5 recites

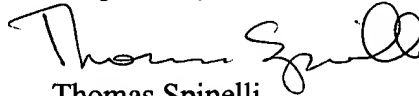
"the processor is configured to analyze image information received from the user after the audio indication is received to identify the change in the PIP display characteristic that is expressed by the received gesture."

As discussed above, Pavlovic teaches the user issuing a spoken command and gesture simultaneously (page 123, right column).

Lastly, new claims 19 and 20 have been added. The Applicant respectfully submits that new claim 19 patentably distinguishes over the cited references and is allowable for at least the same reasons as set forth above with regard to claim 2. The Applicant further respectfully submits that new claim 20 patentably distinguishes over the cited references and is allowable for at least the same reasons as set forth above with regard to claim 5.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Spinelli", with a stylized flourish at the end.

Thomas Spinelli  
Registration No. 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
TS/cm